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Paper No. 16

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**MAY 17 2004**

**OFFICE OF PETITIONS**

In re Application of :  
Fesik, et al. :  
Application No. 09/716,395 : **ON PETITION**  
Filed: November 20, 2000 :  
Attorney Docket No. 6752.US.01 :

This is a decision on the petition under 37 CFR 1.137(b), filed April 30, 2004, to revive the above-identified application.

The petition under 37 CFR 1.137(b) is **GRANTED**.

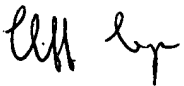
The above-identified application became abandoned for failure to timely file a response to the non-final Office action mailed March 26, 2003. This Office action set a shortened statutory period for reply of three months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. No reply having been received, the above-identified application became abandoned on June 27, 2003. A Notice of Abandonment was mailed on March 24, 2004.

With the instant petition, petitioner paid the petition fee, filed a reply in the form of an amendment, and made a statement of unintentional delay.

37 CFR 1.137(b)(3) requires a statement that the **entire** delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3). The statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3). Petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

The application file is being forwarded to Group Art Unit 1642 for consideration of the amendment filed April 30, 2004.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-0272.



Cliff Congo  
Petitions Attorney  
Office of Petitions